

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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DEC 28 1994

In Re:

Revision of Part 22 of the
Commission's Rules Governing
the Public Mobile Services

CC Docket No. 92

Amendment of Part 22 of the
Commission's Rules to Delete
Section 22.118 and Permit the
Concurrent Use of Transmitters
in Common Carrier and Non-common
Carrier Service

CC Docket No. 94-46
RM-8367

Amendment of Part 22 of the
Commission's Rules Pertaining
to Power Limits for Paging
Stations Operating in the
931 MHz Band in the Public
Land Mobile Service

CC Docket No. 93-116

To: The Commission

COMMENTS OF AMERICAN PAGING, INC.
SUPPORTING PCIA PETITION FOR PARTIAL STAY

American Paging, Inc., on behalf of itself and its subsidiaries (collectively "API"), by its attorneys, files its comments supporting Commission grant of the partial stay of the effective date of rules adopted in the Commission's Report and Order (FCC 94-201) in the above-captioned docket as requested by the Personal Communications Industry Association ("PCIA").¹

We believe that the substantial six-to-eight month backlog of 931 MHz applications warrants a reappraisal of the processing framework for pending pre-1995 applications. In its Petition for

¹ Petition for partial Stay of PCIA filed December 19, 1994, in the above-captioned docket.

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Reconsideration or Clarification filed concurrently with the Petition for Partial Stay, PCIA presents an industry consensus approach to the processing of 931 MHz applications filed prior to the effective date of the new frequency-specific auction-based application processing. The PCIA proposal should be adopted.

We support PCIA's proposals because they provide transition mechanisms for 931 MHz application processing which will permit the staff to continue processing of as many pre-1995 applications as possible under existing rules. This approach is fair to the applicants involved, will address effectively the existing backlog, and will help speed the deployment of new and expanded 931 MHz systems. It also is a workable solution in terms of avoiding unnecessary processing delays, reducing staff workload by eliminating redundant processing of a substantial number of pre-1995 applications and at the same time diminishing disruptive overfiling opportunities for otherwise grantable applications.

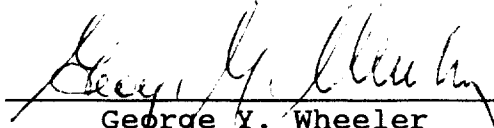
We also support PCIA's position that the new transmitter sharing rule should be deleted. The Commission's rules need to be flexible to accommodate the complex network offerings of carriers with overlapping coverage areas. Deleting the transmitter sharing restriction will promote rapid, widespread, and cost-efficient deployment of competitive networks offering diverse innovative services.

We request that the Commission grant the petition for stay filed by PCIA pending Commission action on the PCIA proposed

transition framework and its proposed deletion of the new transmitter sharing restrictions.

Respectfully submitted,

AMERICAN PAGING, INC.

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December 28, 1994

CERTIFICATE OF SERVICE

I, Judy Cooper, a legal secretary in the law firm of Koteen & Naftalin, do hereby certify that a copy of the foregoing "Comments of American Paging, Inc. " was sent by first class U.S. mail, postage prepaid, on this 28th day of December, 1994, to the following:

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